

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THE HOTEL EMPLOYEES AND  
RESTAURANT EMPLOYEES  
INTERNATIONAL UNION WELFARE  
FUND,

H. W. WARD, as fiduciary of THE HOTEL  
EMPLOYEES AND RESTAURANT  
EMPLOYEES INTERNATIONAL UNION  
WELFARE FUND,

THE UNITE HERE NATIONAL  
RETIREMENT FUND, f/k/a THE HOTEL  
EMPLOYEES AND RESTAURANT  
EMPLOYEES INTERNATIONAL UNION  
PENSION FUND,

RICHARD N. RUST, as fiduciary of THE  
UNITE HERE NATIONAL RETIREMENT  
FUND,

Plaintiffs,

vs.

ARAMARK CORPORATION, f/k/a  
ARAMARK SERVICES, INC.,

Defendant.

CASE NO. 01:08 CV 2883

JUDGE KENDALL

MAGISTRATE JUDGE BROWN

**DEFENDANT'S MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF  
DEFENDANT'S MOTION TO REASSIGN AND CONSOLIDATE BEFORE JUDGE  
KENDALL OR, IN THE ALTERNATIVE, FOR AN EXTENSION OF TIME TO  
ANSWER OR OTHERWISE PLEAD**

Defendant, ARAMARK CORPORATION, f/k/a Aramark Services, Inc. ("Aramark"), by its attorneys, respectfully moves this Court for an order staying all proceedings in this matter pending resolution of Defendant's Motion to Reassign And Consolidate Before Judge Kendall. In the alternative, Aramark hereby requests that the Court grant it a thirty-day extension of time,

or until August 11, 2008, to file its answer or other responsive pleading to Plaintiff's Complaint at Law. In support of its Motion, Aramark states as follows:

1. On May 19, 2008, Plaintiffs filed their Complaint with the Clerk of the Court and issued a summons as to Defendant.

2. On or about May 19, 2008, Defendant was served with the Complaint. Pursuant to Fed. R. Civ. P. 8, and according to the summons, the Answer to the Complaint was due within twenty days of service, or on June 9, 2008.

3. On June 3, 2008, Aramark filed a Motion For An Extension Of Time To Answer Or Otherwise Plead. (Docket Entry No. 11).

4. This Court granted Aramark's motion on June 5, 2008, and extended the deadline for Aramark's responsive pleading to July 9, 2008. (Docket Entry No. 13).

5. On July 2, 2008, Aramark filed a Motion To Reassign And Consolidate Before Judge Kendall, which is scheduled for hearing before this Court on July 9, 2008. (Docket Entry Nos. 16 and 17). The Motion To Reassign And Consolidate Before Judge Kendall requests that related lawsuits pending before Judge St. Eve (Case No. 08-2887) and Judge Kocoras (Case No. 08-2938) be reassigned to this Court and that all three lawsuits (Case Nos. 08-2883, 08-2887 and 08-2938) be consolidated. No responsive pleadings have been filed in any of the three lawsuits.

6. Accordingly, Aramark requests that this Court enter an order staying all proceedings pending resolution of Aramark's Motion To Reassign And Consolidate Before Judge Kendall. In the alternative, Aramark requests thirty (30) days, up to and including August 11, 2008, to answer or otherwise plead to Plaintiffs' Complaint.

WHEREFORE, Aramark respectfully requests that this Court grant this Motion and enter an order staying all proceedings until Aramark's Motion To Reassign And Consolidate Before

Judge Kendall has been resolved. In the alternative, Aramark respectfully requests that this Court grant it an extension of thirty days to answer or otherwise plead to Plaintiffs' Complaint.

Dated: July 2, 2008

Respectfully submitted,

ARAMARK CORPORATION, f/k/a  
ARAMARK SERVICES, INC.,

By: /s/ Stephanie L. Sweitzer  
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Defendant's Motion To Stay Proceedings Pending Resolution Of Defendant's Motion To Reassign And Consolidate Before Judge Kendall Or, In The Alternative, For An Extension Of Time To Answer Or Otherwise Plead was served via the Court's CM/ECF (Electronic Case Filing) System on:

Laura M. Finnegan  
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on July 2, 2008.

/s/ Stephanie L. Sweitzer